

### **REMARKS**

In response to the Office Action dated May 17, 2005 Applicants respectfully request reexamination.

#### **Response to August 11, 2005 Advisory Action**

The Examiner stated that the Applicants' amendments in their response dated July 22, 2005 would be entered but they did not place the application in a condition of allowance in view of U.S. Patent No. 5,909,023 (Ono) because Ono discusses that voice guidance from the server may be added to further improve user services (Section 11 of the August 11, 2005 Advisory Action). Applicants respectfully assert that the pending claims are patentable in view of the voice guidance discussed in Ono.

#### **Claim Rejections - 35 USC § 102**

Claims 1-4, 6, 8-9, 14, 16-19, 21, 23, 28-32, 34, 36-39, 41, 43-46, 48 and 50-53 stand rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,909,023 (Ono). Applicants respectfully assert that these claims are patentable over Ono.

Regarding claim 1, Ono does not teach, disclose, or suggest a method including receiving a voice communication from a user. Ono discusses that voice guidance from a server may be added to improve user services (Col. 11 lines 1-2). The voice guidance in Ono is one-way communication from the server to the user. In contrast, claim 1 recites receiving a voice communication from the user. The recited voice communication in claim 1 is different from the voice guidance discussed in Ono because the voice communication comes from a user, while the voice guidance in Ono relates to voice sent to a user from the server. For at least these reasons, applicants respectfully assert that claim 1, and claims 2-4, 6, 8-9, and 14, that each depend directly or indirectly from claim 1, are patentable over Ono.

Regarding independent claim 16, Ono does not teach, disclose, or suggest the recited receiving means. Claim 16 recites an apparatus including means for receiving a voice communication from a user. Ono discusses voice guidance from a server that may be added to improve user services (Col. 11 lines 1-2). The voice guidance in Ono is one-way communication from the server to the user. In contrast, claim 16 recites means for receiving a voice

communication from the user. For at least these reasons, applicants respectfully assert that claim 16, and claims 17-19, 21, 23, and 28, that each depend from claim 16, are patentable over Ono.

Regarding independent claim 29, Ono does not teach, disclose, or suggest receiving a voice communication from a user. Claim 29 recites a method including receiving a voice communication from a user. Ono discusses voice guidance from a server that may be added to improve user services (Col. 11 lines 1-2). The voice guidance in Ono is communication from the server to the user, and is not a voice communication from the user, as recited in claim 29. For at least these reasons, applicants respectfully assert that claim 29, and claims 30-32, and 34, that each depend directly or indirectly from claim 29, are patentable over Ono.

Regarding independent claim 36, Ono does not teach, disclose, or suggest an apparatus including receiving a voice communication from a user. Ono discusses a single service, online shopping, wherein a voice guidance from a server may be added to improve user services (Col. 11 lines 1-2). The voice guidance in Ono is one-way communication from the server to the user. In contrast, claim 36 recites a voice communication from the user. For at least these reasons, applicants respectfully assert that claim 36, and claims 37-39, and 41, that each depend directly or indirectly from claim 36, are patentable over Ono.

Regarding independent claim 43, Ono does not teach, disclose, or suggest an article of manufacture configured to cause a computer system to receive a voice communication from a user. Ono discusses a single service, online shopping, wherein a voice guidance from a server may be added to improve user services (Col. 11 lines 1-2). The voice guidance in Ono is one-way communication from the server to the user. Claim 43, however, recites an article of manufacture configured to cause a computer system to receive a voice communication from a user. For at least these reasons, applicants respectfully assert that claim 43, and claims 44-46, and 48, that each depend from claim 43, are patentable over Ono.

#### Claim Rejections - 35 USC § 103

Claims 50-54 stand rejected under 35 U.S.C. 103(a) as being anticipated by US Patent No. 6,266,649 (Linden) in view of Ono. Applicants respectfully assert that these claims are patentable over Linden in view of Ono.

Regarding independent claim 50, neither Linden or Ono teach, disclose, or suggest receiving a voice communication from the user. As indicated by the Examiner, Linden fails to

specifically teach that the user interface is a voice-activated interface (Page 7, May 17, 2005 Office Action). Ono discusses a single service, online shopping, wherein a voice guidance from a server may be added to improve user services (Col. 11 lines 1-2). The voice guidance in Ono is one-way communication from the server to the user. In contrast, claim 50 recites a method including receiving a voice communication from the user. For at least these reasons, applicants respectfully assert that claim 50, and claims 51-54 that each depend from claim 1, are patentable over Linden in view of Ono.

Claims 5 and 20 stand rejected under 35 USC §103(a) as obvious over Ono in view of US Patent No. 6,298,330 (Gardenswartz). Applicants respectfully assert that these claims are patentable over Ono and Gardenswartz. The Examiner does not assert that Gardenswartz makes up for the deficiencies of Ono noted above with respect to claims 1 and 16. Thus, claims 5 and 20, that depend from claims 1 and 16 respectively, are patentable over Ono in view of Gardenswartz for at least the reasons discussed above with respect to claim 1.

Claims 7 and 22 stand rejected under 35 USC §103(a) as obvious over Ono in view of US Patent No. 6,298,329 (Walker). Applicants respectfully assert that these claims are patentable over Ono and Walker. The Examiner does not assert that Walker makes up for the deficiencies of Ono noted above with respect to claims 1 and 16. Thus, claims 7 and 22, that depend indirectly from claims 1 and 16 respectively, are patentable over Ono in view of Walker for at least the reasons discussed above with respect to claims 1 and 16.

Claims 10-12 and 24-26 stand rejected under 35 USC §103(a) as obvious over Ono in view of US Patent No. 5,646,986 (Sahni). Applicants respectfully assert that these claims are patentable over Ono and Sahni. First, applicants respectfully assert that Sahni is not in the same field of endeavor as Ono. Ono discusses an online shopping support method and system capable of supplying proper services matching user specific needs and conditions. Sahni discusses trunk allocation in a communication system based on a history of network use. Applicants respectfully assert that allocating trunks is not in the same field of endeavor as online shopping. Therefore, there is no motivation to combine Sahni and Ono. Second, even if Ono and Sahni were combined as suggested in the Office Action, the Examiner does not assert that Sahni makes up for the deficiencies of Ono noted above with respect to claims 1 and 16. Thus, claims 10-12 and claims 24-26 that directly and indirectly depend from claims 1 and 16 respectively, are patentable over Ono in view of Sahni for at least the reasons discussed above with respect to

claims 1 and 16.

Claim 13 stands rejected under 35 USC §103(a) as obvious over Ono in view of US Patent No. 6,584,447 (Fox). Applicants respectfully assert that this claim is patentable over Ono and Fox. First, applicants respectfully assert that Fox is not in the same field of endeavor as Ono. Ono discusses an online shopping support method and system capable of supplying proper services matching user specific needs and conditions. Fox discusses a method to analyze a sales forecast using weather and sales history. Applicants respectfully assert that a method to analyze a sales forecast using weather and sales history is not in the same field of endeavor as online shopping. Therefore, there is no motivation to combine Fox and Ono. Second, even if Ono and Fox were combined as suggested in the Office Action, the Examiner does not assert that Fox makes up for the deficiencies of Ono noted above with respect to claim 1. Thus, claim 13, that indirectly depends from claim 1, is patentable over Ono in view of Fox for at least the reasons discussed above with respect to claim 1.

Claim 27 stands rejected under 35 USC §103(a) as obvious over Ono in view of Sahni, as applied to claim 24, and further in view of Fox. Applicants respectfully assert that this claim is patentable over Ono and Sahni and Fox because, as discussed above, neither Sahni nor Fox is in the same field of endeavor as Ono, and neither make up for the deficiencies of Ono with respect to claim 16.

Claims 35, 42, and 49 stand rejected under 35 USC §103(a) as obvious over Ono in view of US Patent No. 6,330,543 (Kepecs). Applicants respectfully assert that this claim is patentable over Ono and Kepecs because even if Ono and Kepecs were combined as suggested in the Office Action, the Examiner does not assert that Kepecs makes up for the deficiencies of Ono noted above with respect to claims 29, 36 and 43. Thus, claims 35, 42 and 49, that depend on claims 29, 36 and 43 respectively, are patentable over Ono in view of Kepecs for at least the reasons discussed above with respect to claims 29, 36 and 43.

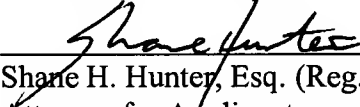
Claims 15, 33, 40, and 47 stand rejected under 35 USC §103(a) as obvious over Ono in view of US Patent No. 6,377,927 (Loghmani). Applicants respectfully assert that this claim is patentable over Ono and Loghmani because Loghmani teaches away from the application. Loghmani discusses a voice-optimized database and a method of using audio vector valuation to search a voice-optimized database and to enhance existing, non-voice-enabled databases to perform searches from spoken queries (col. 1 ln 13-16). In contrast, claim 15 recites providing

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an application service based on both an accuracy of the speech recognition and the number of times the user previously selected the application service. Claims 33, 40, and 47 recite providing an application service based on both the accuracy of the speech recognition and the frequency with which the user invoked a particular application. Thus, Loghmani discusses a technique for improving speech recognition while claims 15, 33, 40, and 47 recite techniques to select an application service based upon both speech recognition accuracy and either the number of times that the application service is invoked (claim 15) or the frequency with which an application service is invoked (claims 33, 40, 47) . For at least these reasons, claims 15, 33, 40, and 47 are patentable over Loghmani.

Based on the foregoing, this application is believed to be in an allowable condition, and a notice to that effect is respectfully requested. The Examiner is invited to call the Applicants' Attorney at the number provided below with any questions.

Respectfully submitted,

  
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